



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

\$ 3762  
41

In re Application of:

JOHN D. PUSKAS

Serial No. 10/051,752

Filed: January 16, 2002

For: APPARATUS FOR INDIRECTLY  
STIMULATING THE VAGUS NERVE WITH  
AN ELECTRIC FIELD

)  
)  
)  
)  
)

Art Unit: 3762

Examiner: C. Layno

RECEIVED

MAR 09 2005

TECHNOLOGY CENTER R3700

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

The citation of information on the attached Form PTO/SB/08 is made pursuant to 37 C.F.R. §§ 1.56, 1.97, and 1.98. Applicants also submit a check in the amount of \$180.00 to cover the fee required for filing an information disclosure statement after receiving a first Office Action. It is believed that no additional fees are required; however, should an additional fee be required, the Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, to Deposit Account No. 11-0855.

The citation of this information does not constitute an admission of priority or that any cited item is available as a reference, or a waiver of any right the applicant may have under applicable statutes, Rules of Practice in patent cases, or otherwise.

03/07/2005 SSITHIB1 00000076 10051752

01 FC:1806

180.00 OP

Respectfully submitted,

Katrina M. Quicker  
Reg. No. 55,554

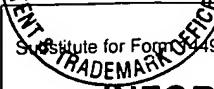
1100 Peachtree Street; Suite 2800  
Atlanta, Georgia 30309-4530  
Our Docket: 16294-0134 (52433-269130)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Arlington, Virginia, 22313-1450, on February 28, 2005.

Katrina M. Quicker - Reg. No. 55,554

MAR 04 2005

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number



Substitute for Form 1449/A/PTO

INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 4

## Complete if Known

<b>Application Number</b>	10/051,752
<b>Filing Date</b>	January 16, 2002
<b>First Named Inventor</b>	JOHN D. PUSKAS
<b>Group Art Unit</b>	3762
<b>Examiner Name</b>	C. Layno
<b>Attorney Docket Number</b>	16294-0134 (52433-269130)

## U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	1	4,304,239		Perlin	12-08-1981	
	2	4,574,807		Hewson et al.	03-11-1986	
	3	4,640,298		Pless et al.	02-03-1987	
	4	4,671,295		Abrams et al.	06-09-1987	
	5	4,722,347		Abrams et al.	02-02-1988	
	6	4,753,244		Landymore et al.	06-28-1988	
	7	4,960,133		Hewson	10-02-1990	
	8	5,014,698		Cohen	05-14-1991	
	9	5,024,228		Goldstone et al.	06-18-1991	
	10	5,044,367		Endres et al.	09-03-1991	
	11	5,052,390		Hewson	10-01-1991	
	12	5,056,519		Vince	10-15-1991	
	13	5,056,532		Hull et al.	10-15-1991	
	14	5,125,406		Goldstone et al.	06-30-1992	
	15	5,127,407		Tan	07-07-1992	
	16	5,129,392		Bardy et al.	07-14-1992	
	17	5,156,149		Hudrluk	10-20-1992	
	18	5,199,428		Obel et al.	04-06-1993	
	19	5,203,326		Collins	04-20-1993	
	20	5,243,980		Mehra	09-14-1993	
	21	5,265,603		Hudrluk	11-30-1993	
	22	5,284,146		Czar et al.	02-08-1994	
	23	5,292,338		Bardy et al.	03-08-1994	
	24	5,334,221		Bardy	08-12-1994	
	25	5,354,318		Taepke	10-11-1994	
	26	5,356,425		Bardy et al.	10-18-1994	
	27	5,403,356		Hill et al.	04-04-1995	
	28	5,411,529		Hudrluk	05-02-1995	
	29	5,417,713		Cohen	05-23-1995	
	30	5,501,703		Holsheimer et al.	03-26-1996	
	31	5,507,784		Hill et al.	04-16-1996	
	32	5,540,730		Terry, Jr. et al.	07-30-1996	
	33	5,540,732		Testerman	07-30-1996	
	34	5,549,655		Erickson	08-27-1996	
	35	5,571,150		Wernicke et al.	11-05-1996	

Examiner Signature		Date Considered
--------------------	--	-----------------

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent document, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language translation is attached.

RECEIVED  
MAY 09 2005  
TECHNOLOGY CENTER R3700



**Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.**

Form 1449/A/PTO

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 2 of 4

Sheet 2 of 4 Attorney's Book Number: 1023-0317 (2010-2010)

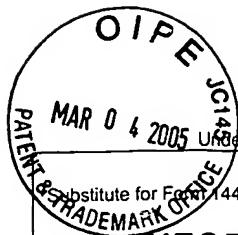
## **U.S. PATENT DOCUMENTS**

RECEIVED  
MAR 09 2005  
TECHNOLOGY CENTER R3700

## **FOREIGN PATENT DOCUMENTS**

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent document, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language translation is attached.



# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 3 of 4

**Complete if Known**

<b>Application Number</b>	10/051,752
<b>Filing Date</b>	January 16, 2002
<b>First Named Inventor</b>	JOHN D. PUSKAS
<b>Group Art Unit</b>	3762
<b>Examiner Name</b>	C. Layno
<b>Attorney Docket Number</b>	16294-0134 (52433-269130)

**OTHER INFORMATION - NON PATENT LITERATURE DOCUMENTS**

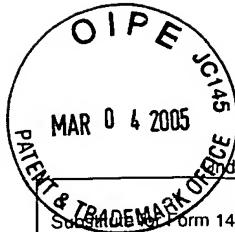
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
	49	Annegers, A.F., et al., "Epilepsy, Vagal Nerve Stimulation by the NCP System, All-Cause Morality, and Sudden, Unexpected, Unexplained Death," <i>Epilepsia</i> , Vol. 41, No. 5, pp. 549-553 (2000)	
	50	Barwell, J., et al., "The NIM-2 Nerve Integrity Monitor in Thyroid and Parathyroid Surgery," <i>British Journal of Surgery</i> , Vol. 84, No. 854, p. 854 (1997)	
	51	Ben-Menachem, E., et al., "Vagus Nerve Stimulation for Treatment of Partial Seizures: 1. A Controlled Study of Effect on Seizures," <i>Epilepsia</i> , Vol. 35, No.3, pp. 616-626 (1994)	
	52	Bilgutay, A., et al., "Vagal Tuning: A New Concept in the Treatment of Supraventricular Arrhythmias, Angina Pectoris, and Heart Failure," <i>Journal of Thoracic and Cardiovascular Surgery</i> , Vol. 56, No. 1, pp. 71-82 (1968)	
	53	Bluemel, K.M., et al., "Parasympathetic Postganglionic Pathways to the Sinoatrial Node," American Physiological Society, pp. H1504-H1510 (1990)	
	54	Braunwald, E., et al., "Carotid Sinus Nerve Stimulation in the Treatment of Angina Pectoris and Supraventricular Tachycardia," <i>The Western Journal of Medicine</i> , pp. 41-50 (1970)	
	55	Carlson, M. et al., "Selective Stimulation of Parasympathetic Nerve Fibers to the Human Sinoatrial Node," <i>Circulation</i> , Vol. 85, No. 4, pp. 1311-1317 (1992)	
	56	Cooper, T., et al., "Neural Effects on Sinus Rate and Atrioventricular Conduction Produced by Electrical Stimulation from a Transvenous Electrode Catheter in the Canine Right Pulmonary Artery," <i>Circulation Research</i> , Vol. 46, No. 1, pp. 48-57 (1980)	
	57	Duhaylongsod, F., et al., "Controlled Ventricular Asystole With Surgeon-Actuated Pacing for Off-Pump Coronary Artery Bypass Grafting: A Proposed Surgical Method," <i>IBMICS</i> (1998) (Abstract)	
	58	Espinosa, J., et al., "Revision and Removal of Stimulating Electrodes Following Long-Term Therapy with the Vagus Nerve Stimulator," <i>Surg. Neurol.</i> , Vol. 51, pp. 659-664 (1999)	
	59	George, R., et al., "Vagus Nerve Stimulation for Treatment of Partial Seizures: 3. Long-Term Follow-Up on First 67 Patients Exiting a Controlled Study," <i>Epilepsia</i> , Vol. 35, No.3, pp. 637-643 (1994)	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

<sup>1</sup>Unique citation designation number. <sup>2</sup>Applicant is to place a check mark here if English language translation is attached.**RECEIVED**

MAR 09 2005

TECHNOLOGY CENTER R3700



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Form 1449/A/PTO

**INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet	4	of	4	Attorney Docket Number	16294-0134 (52433-269130)
-------	---	----	---	------------------------	---------------------------

**OTHER INFORMATION - NON PATENT LITERATURE DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
	60	Jalife, J. <i>et al.</i> , "Desensitization of the Cholinergic Receptor at the Sinoatrial Cell of the Kitten," <i>American Physiological Society</i> , pp. H439-H448 (1980)	
	61	Khanna, R., <i>et al.</i> , "Coronary Artery Surgery With Induced Temporary Asystole and Intermittent Ventricular Pacing: An Experimental Study," <i>Cardiovascular Surgery</i> , Vol. 4, No. 2, pp. 231-236 (1996)	
	62	Lagi, A., <i>et al.</i> , "Age-Related Changes of Cardiac Parasympathetic Modulation After Vasovagal Syncope," <i>The American Journal of Cardiology</i> , Vol. 83, pp. 977-980 (1999)	
	63	Loeb, J., <i>et al.</i> , "Sensitivity Differences of SA and AV Node to Vagal Stimulation: Attenuation of Vagal Effects at SA Node," <i>American Physiological Society</i> , pp. H684-H690 (1981)	
	64	Maloney, R., <i>et al.</i> , "A New Method for Intraoperative Recurrent Laryngeal Nerve Monitoring," <i>ENT Journal</i> , Vol. 73, No.1, pp. 30-33 (1994)	
	65	Martin, P., <i>et al.</i> , "Fade of Cardiac Responses During Tonic Vagal Stimulation," <i>American Physiological Society</i> , pp. H219-H225 (1982)	
	66	Matheny, R., "Experiences in Minimally Invasive Surgery-Techniques of Stabilization," presented at the Minneapolis Heart Institute Foundation, June 19-21, 1997.	
	67	Matheny, R., <i>et al.</i> , "Vagus Nerve Stimulation as a Method to Temporarily Slow or Arrest the Heart," <i>The Annals of Thoracic Surgery</i> , Vol. 63, No. 6 (Suppl.), pp. S28-S29 (1997)	
	68	Poller, U., <i>et al.</i> , "Age-Dependent Changes in Cardiac Muscarinic Receptor Function in Healthy Volunteers," <i>Journal of the American College of Cardiology</i> , Vol. 29, No. 1, pp. 187-193 (1997)	
	69	Ramsay, R., <i>et al.</i> , "Vagus Nerve Stimulation for Treatment of Partial Seizures: 2. Safety, Side Effects, and Tolerability," <i>Epilepsia</i> , Vol. 35, No.3, pp. 627-636 (1994)	
	70	Randall, W.C., <i>et al.</i> , "Functional Anatomy of the Cardiac Efferent Innervation," <i>Neurocardiology</i> , pp. 3-24 (1988)	
	71	Sato, I., <i>et al.</i> , "Age-Related Changes of Cardiac Control Function in Man," <i>Journal of Gerontology</i> , Vol. 36, No. 5, pp. 564-572 (1981)	
	72	Severtson, M., <i>et al.</i> , "Vagal Monitoring: A Comparison of Techniques in a Canine Model," <i>American Journal of Otology</i> , Vol. 18, pp. 398-400 (1997)	
	73	Upton, A., Editorial, <i>PACE</i> , Vol. 15, Part II, pp. 1543-1544 (1992)	
	74	Wilder, B.J., <i>et al.</i> , "Vagus Nerve Stimulation for the Control of Epilepsy," <i>Epilepsia</i> , Vol. 31, Supp. 2, pp. S1-S60 (1990)	

Examiner Signature	Date Considered	RECEIVED
		MAR 09 2005

<sup>1</sup>Unique citation designation number. <sup>2</sup>Applicant is to place a check mark here if English language translation is attached.

TECHNOLOGY CENTER